TOOELE COUNTY
ORDINANCE 2023-03

AN ORDINANCE AMENDING SECTION 1-2-7, COUNCIL MEETINGS, OF CHAPTER 2, COUNCIL-MANAGER FORM OF GOVERNMENT, OF TITLE 1, GENERAL PROVISIONS, OF THE TOOELE COUNTY CODE

WHEREAS, current Section 1-2-7 requires the county council to establish its regular meeting schedule by ordinance; and

WHEREAS, state law does not require county legislative bodies to establish their regular meeting schedules by ordinance; and

WHEREAS, the county council has not historically established its regular meeting schedule by ordinance;

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF TOOELE COUNTY ORDAINS AS FOLLOWS:

SECTION I – SECTION AMENDED. Section 1-2-7, *Council Meetings*, of Chapter 2, *Council-Manager Form of Government*, of Title 1, *General Provisions*, of the Tooele County Code is hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION II – REPEALER. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION III – EFFECTIVE DATE. This ordinance shall become effective fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (15) days after passage.

IN WITNESS WHEREOF the Tooele County Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 8th day of February, 2023.

ATTEST:

TRACY D. SHAW, County Clerk

(SEAL)

TOOELE COUNTY COUNCIL:

JARED S. HAMNER, Chair

Council Member Hamner voted aye.
Council Member Hoffmann voted aye.
Council Member Stromberg voted absent.
Council Member Thomas voted aye.
Council Member Wardle voted aye.

APPROVED AS TO FORM:

Colin Winchester 02/13/2023

COLIN R. WINCHESTER
Deputy Tooele County Attorney

TOOELE COUNTY CODE
TITLE 1
GENERAL PROVISIONS

Chapter 2: Council-Manager Form of Government

1-2-7. Council Meetings.

(1) Regular Meetings. The Council shall meet in regular session at stated times. Regularly scheduled Council meetings may be canceled by a majority vote of the Council.

(2) Special Meetings. Special meetings may only be held when called by the chair or when called by three or more Council members.

(3) Electronic Meetings. The Council may hold electronic meetings.

(a) A request for an electronic meeting must be made by a Council member at least three days prior to the meeting.

(b) The Council shall give public notice of the meeting pursuant to the Utah Open and Public Meetings Act, post written notice of the meeting at the anchor location, provide notice of the electronic meeting to Council members at least 24 hours before the meeting, and inform Council members and the public how to connect to the electronic meeting.

(c) A quorum of the Council must be physically present at a single anchor location for the meeting and vote to authorize the electronic meeting. Unless otherwise specified, the anchor location shall be the Council's chambers in the Tooele County Administration Building, 47 South Main Street, Tooele, Utah.

(d) Interested persons and the public may attend, monitor, and participate in the open portions of the meeting. In-person attendance and in-person participation may be limited or prohibited if electronic attendance and participation is provided for.

(e) Notwithstanding sections (3)(b), (3)(c) and (3)(d), the Council may convene and conduct an electronic meeting without an anchor location if the chair makes a written determination that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location, states in the written determination the facts upon which the determination is based, includes the written determination in the public notice for the meeting, reads the written determination at the beginning of the meeting, and includes in the public notice information on how the public may view or make comments at the meeting.

(4) Open Meetings. Proceedings and meetings of the Council shall be conducted in accordance with the Utah Open and Public Meetings Act and other applicable laws and ordinances.

(5) Voting. Voting shall be by roll call, and the ayes and nays shall be recorded in the Council minutes as a matter of public record. A Council member may abstain from any vote if he or she declares a conflict of interest. Council members abstaining from a vote shall be considered present for the purposes of a quorum.

(6) Vote Required for Valid Action. Except for matters on which a greater or lesser vote is expressly provided by law or by this chapter, no Council action shall be valid and binding unless approved by the affirmative vote of a majority of a present quorum.

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